

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS**

**Call to Order:** Chairman Art Noonan, on February 18, 2009 at 3:03 P.M., in Room 172 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Art Noonan, Chairman (D)  
Rep. Robyn Driscoll, Vice Chairman (D)  
Rep. Harry Klock, Vice Chairman (R)  
Rep. Shannon Augare (D)  
Rep. Carlie Boland (D)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Gary MacLaren (R)  
Rep. Jesse O'Hara (R)  
Rep. Mike Phillips (D)  
Rep. Keith Regier (R)  
Rep. Scott Reichner (R)

**Members Excused:** None

**Members Absent:** Rep. Wayne Stahl (R)  
Rep. Brady Wiseman (D)

**Staff Present:** Bryce Bennett, Committee Secretary  
Todd Everts, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 483; HB 529; HB 566; HB 584;  
HB 595; HB 597  
Executive Action: None

00:02:03 Chairman Noonan asked that HB 483 and HB 566 be heard together without objection.

**HEARING ON HB 483/566**

**Opening Statement by Sponsor:**

00:03:59 Rep. Llew Jones (R), HD 27, opened the hearing on HB 483, Revising laws governing board of environmental review related to energy projects.

00:04:32 Rep. Wiseman arrived.

00:28:42 Rep. Llew Jones (R), HD 27, opened the hearing on HB 566, Revising environmental impact statement laws.

**EXHIBIT (feh38a01)**

**Proponents' Testimony:**

00:32:02 Terry Myhre, Montana Economic Developers Association (MEDA)

**EXHIBIT (feh38a02)**

00:32:40 Sandra Broesder, Broesder Ranch Inc

00:34:33 Candice Payne, Southern Montana Generation and Transmission Cooperative

00:39:40 Leo Berry, Great Northern Properties and Energy Development

00:43:46 Cynthia Johnson, Commissioner, Pondera County Commission/ Montana Association of Oil, Gas, and Coal Counties

00:45:10 Ken Johnson, Teton, Glacier, and Pondera Farm Council

00:46:31 Cheryl Curry, Pondera Regional Court Authority

00:49:40 Ted Kronebusch, Pondera Electrical Contractors

00:52:27 Carl Seilstad, Commissioner, Fergus County Commission

00:52:54 J.D. Lynch, Montana Building Trades Council

00:54:12 Dan Flynn, International Brotherhood of Electrical Workers (IBEW) - Local #44

00:54:29 Olaf Stimac, Plumbers and Pipefitters - Local #41

00:55:13 Keith Allen, IBEW - Local #233

00:55:37 Al Ekblad, International Brotherhood of Industrial Workers - Local #400

00:56:15 Rob Van Beers, Tongue Bridge Power

00:59:01 Darrel James, self

01:00:26 Don Allen, Western Environmental Trade Association (WETA)

01:00:58 Brett Doney, Great Falls Development Authority

01:01:15 Vanessa Clark, Helena Chamber of Commerce/ Great Falls Chamber of Commerce

01:01:33 Steve Wade, Montana Contractors Association/ Carbon County Holdings LLC

01:01:56 John Bennion, Montana Chamber of Commerce

01:02:09 Gail Abercrombie, Montana Petroleum Association/  
Montanans for Responsible Energy Development

**Opponents' Testimony:**

01:02:58 Charlene Alden, Northern Cheyenne Nation  
01:06:09 Alex Bonogofsky, National Wildlife Federation  
01:09:20 Anne Hedges, Montana Environmental Information Center  
(MEIC)  
01:18:42 Beth Kaeding, Northern Plains Resource Council  
01:21:10 Sarah Cobler, Montana Conservation Voters (MCV)  
01:23:56 Clint McRae, self  
01:27:13 Stuart Lewen, self  
01:32:39 Wade Sikorski, self  
01:34:43 Aart Dolman, self

**EXHIBIT(feh38a03)**

01:36:29 Neil Taylor, self

**EXHIBIT(feh38a04)**

01:36:55 Ron Mathsen, self

**EXHIBIT(feh38a05)**

01:37:30 Ken Morrow, self

**EXHIBIT(feh38a06)**

01:38:11 Arleen Boyd, self  
01:39:11 Stephanie Ambrose Tubbs, self

**EXHIBIT(feh38a07)**

01:39:33 John Marshall, self  
01:39:56 Ben Lamb, Montana Wildlife Federation  
01:40:53 Paul Sihler, Department of Fish, Wildlife, and Parks

**EXHIBIT(feh38a08)**

01:41:09 Janet Ellis, Montana Audobon

**Informational Testimony:**

01:41:25 David Clemp, Montana Department of Environmental  
Quality  
01:45:54 Rep. Stahl arrived.

**Questions from Committee Members and Responses:**

01:41:53 Rep. Phillips  
01:42:26 Ms. Hedges  
01:43:03 Rep. Phillips  
01:43:23 Rep. Jones  
01:43:44 Rep. Phillips  
01:44:10 Rep. Jones  
01:44:16 Rep. Phillips  
01:44:27 Rep. Jones  
01:45:31 Rep. Phillips  
01:46:21 Rep. Jones  
01:46:31 Rep. MacLaren  
01:46:53 Ms. Hedges

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01:48:14 Rep. MacLaren  
01:48:28 Ms. Hedges  
01:49:47 Rep. Reichner  
01:50:26 Rep. Jones  
01:51:58 Rep. Reichner  
01:52:13 Rep. Jones  
01:52:49 Rep. Jopek  
01:53:15 Rep. Jones  
01:53:20 Rep. Jopek  
01:53:27 Rep. Jones  
01:54:38 Rep. Jopek  
01:54:45 Rep. Jones  
01:57:45 Rep. Phillips  
01:58:37 Rep. Jones  
01:59:09 Chairman Noonan  
02:00:55 Rep. Jones

**Closing by Sponsor:**

02:03:25 Rep. Jones

**HEARING ON HB 529**

**Opening Statement by Sponsor:**

02:09:08 Rep. Llew Jones (R), HD 27, opened the hearing on HB 529, Generally revise MEPA.

**Proponents' Testimony:**

02:15:24 Ms. Johnson  
02:15:47 Mr. Doney  
02:17:23 Mr. Kronebusch  
02:18:30 Ms. Curry  
02:18:50 Brian Duvall, Montana Rural Education Association  
02:19:33 Ms. Clark  
02:20:11 Mr. Flynn  
02:20:28 Mr. Stimac

**Opponents' Testimony:**

02:21:31 Ms. Ellis  
02:24:55 Mr. Marshall  
02:27:47 Ms. Kaeding  
02:29:13 Chuck Magraw, Renewable Northwest Project/ Natural Resources Defense Council  
02:31:34 Mr. Sikorski

**Informational Testimony:**

02:32:18 Mary Sexton, Director, Department of Natural Resources  
and Conservation (DNRC)

**Questions from Committee Members and Responses:** none.

**Closing by Sponsor:**

02:36:29 Rep. Jones

02:40:17 Break

02:46:52 Reconvene

**HEARING ON HB 595**

**Opening Statement by Sponsor:**

02:47:36 Rep. Mary Caferro (D), HD 80, opened the hearing on HB  
595, low-income telephone assistance for veterans.

**Proponents' Testimony:**

02:50:44 Alfred McGuire, self

02:54:54 Jim Jacobsen, Montana American Legion

**Opponents' Testimony:**

02:55:26 David Gibson, Qwest Communications

03:00:58 Geoff Feiss, Montana Telecommunications Association

03:02:51 Steve Maxwell, self

03:03:59 Bonnie Lorang, Montana Independent Telecommunications  
Systems (MITS)

**Informational Testimony:**

03:05:08 Jim Nolan, Department of Public Health and Human  
Services

03:05:31 Joe Foster, Montana Veterans Affairs Division

03:05:45 Greg Jergeson, Chairman, Public Service Commission

**Questions from Committee Members and Responses:**

03:06:05 Rep. Boland

03:06:24 Rep. Caferro

03:07:08 Chairman Noonan

03:07:54 Mr. Jacobsen

03:08:48 Rep. MacLaren

03:09:12 Commissioner Jergeson

**Closing by Sponsor:**

03:10:13 Rep. Caferro

03:12:39 Chairman Noonan asked Vice Chair Driscoll to take over as temporary Chair.

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**HEARING ON HB 584**

**Opening Statement by Sponsor:**

03:13:40 Rep. Art Noonan (D), HD 74, opened the hearing on HB 584, Siting process for wind energy.

**Proponents' Testimony:**

03:16:12 Ms. Ellis

**EXHIBIT (feh38a09)**

03:18:23 Mr. Magraw

03:19:51 Mr. Sihler

03:21:11 Mr. Marshall

03:21:58 Ms. Boyd

**Opponents' Testimony:** none.

**Informational Testimony:** none.

**Questions from Committee Members and Responses:**

03:25:48 Rep. O'Hara

03:26:08 Mr. Marshall

03:28:42 Rep. O'Hara

03:28:53 Mr. Marshall

03:30:58 Rep. Regier

03:31:14 Rep. Noonan

03:31:31 Rep. Regier

03:31:38 Rep. Noonan

03:32:13 Rep. Wiseman

03:32:53 Rep. Noonan

**Closing by Sponsor:**

03:33:20 Rep. Noonan

03:35:29 Vice Chair Driscoll closed the hearing on HB 594, and Rep. Noonan resumed as Chairman.

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**HEARING ON HB 597**

**Opening Statement by Sponsor:**

03:35:44 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 597, Lower utility rates.

**Proponents' Testimony:** none.

**Opponents' Testimony:**

03:37:37 Mr. Magraw

03:38:59 Chairman Noonan asked Vice Chair Driscoll to take over  
as temporary Chair.

03:39:44 Commissioner Jergeson

**EXHIBIT (feh38a10)**

03:49:35 Ms. Hedges

03:50:16 John Fitzpatrick, Northwestern Energy

**Informational Testimony:** none.

**Questions from Committee Members and Responses:** none.

**Closing by Sponsor:**

03:51:37 Rep. Kerns

**ADJOURNMENT**

Adjournment: 6:56 P.M.

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Bryce Bennett, Secretary

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Additional Documents:

**EXHIBIT ([feh38aad.pdf](#))**